

IN RE: PETITION FOR SPECIAL HEARING
Intersection of Hunting Tweed
Drive and W/S Park Heights Ave.
(Huntington)
4th Election District
3rd Councilmanic District
Huntington Development Corp.
Petitioner

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 93-187-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing filed by the owner of the subject property, Huntington Development Corporation, by Abraham Adler, President, through their attorney, Benjamin Bronstein, Esquire. The Petitioner requests a special hearing to approve the Ninth Amended Final Development Plan of Huntington, in accordance with Petitioner's Exhibit 1.

Appearing on behalf of the Petition was Abraham Adler, President. Mr. Adler was represented by Benjamin Bronstein, Esquire. Also appearing on behalf of the Petition was David S. Thaler, Professional Engineer. There were no Protestants.

Testimony indicated that the subject property consists of 74.056 acres, more or less, split zoned R.C. 5 and R.C. 2 and is proposed for development into 16 building lots. This development, known as Huntington, received CRG approval in April, 1992. The Petitioner filed the instant Petition as a result of modifications made to the previously approved site plan to increase buildable areas on Lots 19, 20, 35, 43, and 46, to add grading for the panhandle drive access to Lots 19 and 20, and to add drainage and utility easements in the swale crossing Lots 45, 46, 47, 19 and 20. The relief requested is more particularly described on Petitioner's Exhibit 1, the site plan to accompany the Petition for Special Hearing.

Testimony indicated the relief requested is for very minor technical adjustments and will not result in any detriment to the health, safety or general welfare of the surrounding development. Further, the relief requested satisfies the requirements of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The Petitioner testified that the proposed amendment is scheduled for review by the Baltimore County Planning Board and the relief granted herein is subject to Planning Board approval. Petitioner argued that to deny the proposed amendment would result in practical difficulty and unreasonable hardship.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of January, 1993 that the Petition for Special Hearing to approve the Ninth Amended Final Development Plan of Huntington, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is

reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjs

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

January 21, 1993

Benjamin Bronstein, Esquire
29 West Susquehanna Avenue, Suite 205
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
Intersection of Huntington Tweed Drive and Park Heights Avenue
(Huntington)
4th Election District - 3rd Councilmanic District
Huntington Development Corporation - Petitioner
Case No. 93-187-SPH

Dear Mr. Bronstein:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjs

cc: People's Counsel

file

ORDER RECEIVED FOR FILING
Date 1/21/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 1/21/93
By [Signature]

ORDER RECEIVED FOR FILING
Date 1/21/93
By [Signature]

- 2 -

- 3 -

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County 93-187-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve the Ninth Amended Final Development Plan of Huntington.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:	Legal Owner(s):
(Type or Print Name)	Huntington Development Corporation
Signature	(Type or Print Name)
Address	By: <i>Abraham Adler</i>
City and State	Signature
Attorney for Petitioner:	Abraham Adler, President
Benjamin Bronstein	(Type or Print Name)
(Type or Print Name)	Signature
Signature	Sun Life Building
2 West Susquehanna Avenue, Suite 205	10th Floor, 20 South Charles Street 539-696
Towson, Maryland 21204	Address
City and State	Baltimore, Maryland 21201
Telephone No. (410) 296-0200	City and State
	Name
	D.S. Thaler & Associates, Inc.
	Address
	7115 Ambassador Road 944-3684
	Phone No.



OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING - 1/2HR. +1HR.
AVAILABLE FOR HEARING
MON./TUES./WED. - NEXT TWO MONTHS
ALL OTHER
193 REVIEWED BY: JCM DATE 12-1-92

November 25, 1992

ZONING DESCRIPTION
HUNTINGTON, SECTIONS ONE, TWO AND THREE 93-187-SPH

Beginning at the intersection of Hunting Tweed Drive, a 50 foot wide right-of-way, and the west side of Park Heights Avenue, an 80 foot wide right-of-way. Being all that land encompassed in the subdivision of Huntington as recorded in Baltimore County, Maryland Plat Books E.H.K. Jr., No. 50 folio 66, E.H.K., Jr., No. 55 folio 13 and S.M. No. 63 folio 100.

Containing 139.367 acres of land and located in the Fourth Election District.



193

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District *H-4* Date of Posting *12/11/92*
Posted for: *Special Hearing*
Petitioner: *Huntington Development Corp.*
Location of property: *Huntington Tweed Dr. & Park Heights*
Location of Sign: *Post at entrance of Huntington Development*
Remarks:
Posted by: *M. Thaler* Date of return: *12/11/92*
Number of Signs: *1*

CERTIFICATE OF PUBLICATION

TOWSON, MD. 12/17/1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 12/17/1992

THE JEFFERSONIAN,

S. Zeke Olson
Publisher

\$66.48

receipt

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 01-6150
Number

93-187-SPH

UNAD000231CHRC \$250.00
R# 000233PM12-01-92
Please Make Checks Payable To: Baltimore County

receipt

Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 01-6150
Number

93-187
119 H-4

UNAD000231CHRC \$66.48
R# 000233PM12-01-92
Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 12-21-92

Huntington Development Corporation
Sun Life Building - 10th Floor
20 S. Charles Street
Baltimore, Maryland 21201

RE:
CASE NUMBER: 93-187-SPH (Item 193)
Intersection of Huntington Tweed Drive and west of Park Heights Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): Huntington Development Corporation
HEARING: TUESDAY, JANUARY 12, 1993 at 10:00 a.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$66.75 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

Carl Jablon
ARNOLD JABLON
DIRECTOR

cc: Benjamin Bronstein, Esq.

Printed on Recycled Paper

Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 DEC 0 9 1992 (410) 887-3353

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-187-SPH (Item 193)
Intersection of Huntington Tweed Drive and west of Park Heights Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): Huntington Development Corporation
HEARING: TUESDAY, JANUARY 12, 1993 at 10:00 a.m. in Rm. 106, Office Building.

Special Hearing to approve the Ninth Amended Final Development Plan of Huntington.

Carl Jablon
ARNOLD JABLON
DIRECTOR

cc: Huntington Development Corporation
D. S. Thaler & Associates, Inc.
Benjamin Bronstein, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

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Baltimore County Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204 12-21-92 (410) 887-3353

NOTICE OF REASSIGNMENT
HEARING OF THE ABOVE MATTER WILL TAKE PLACE AS FOLLOWS:

Rescheduled from 1/12/93
CASE NUMBER: 93-187-SPH (Item 193)
Intersection of Huntington Tweed Drive and west of Park Heights Avenue
4th Election District - 3rd Councilmanic
Petitioner(s): Huntington Development Corporation
HEARING: TUESDAY, JANUARY 19, 1993 at 11:00 a.m. in Rm. 118 Courthouse

Special Hearing to approve the Ninth Amended Final Development Plan of Huntington.

Carl Jablon
ARNOLD JABLON
DIRECTOR

cc: Huntington Development Corporation
D. S. Thaler & Associates, Inc.
Benjamin Bronstein, Esq.

Printed on Recycled Paper

D. S. THALER & ASSOCIATES, INC.
7115 AMBASSADOR ROAD • BALTIMORE, MARYLAND 21207
(301) 944-ENGR • (301) 944-3647 • FAX (301) 944-3644

Date December 02, 1992

To: Baltimore County, Maryland
ZADM
County Office Building
Towson, MD 21204

Re: Huntington Section III

Attention: Joe Merrey

Gentlemen:

☐ We are submitting
☒ We are forwarding
☐ We are returning
☐ We request

☐ Herewith
☐ Under Separate Cover

No.	Description
1	Copy of the 200' scale zoning map to accompany variance petition

Remarks:

☒ In accordance with your request
☐ For your review
☐ For processing
☐ Plans reviewed and accepted
☐ Plans reviewed and accepted as noted
☐ For revision by you

☒ For your use
☐ Please call when ready
☐ Please return to this office
☐ Approval requested
☐ Conference requested at your convenience

For further information, please contact the writer at this office

CC file
Enclosure ☒

Sincerely yours,
Thomas C. Peplinski
Thomas C. Peplinski

13-187SPH

LAW OFFICES
EVANS, GEORGE AND BRONSTEIN
SUBSQUANNA BUILDING, SUITE 205
20 WEST SUBSQUANNA AVENUE
TOWSON, MARYLAND 21204
(410) 296-0200
FAX (410) 296-3719

December 15, 1992

Department of Zoning Administration
and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Attn: Gwen Stephens

RE: Case No. 1 93-187-SPH (Item 193)
Huntington

Dear Gwen:

Reference is made to my phone conversation with you of December 14, 1992. I am requesting that the above-entitled case be postponed in view of the fact that I am scheduled to appear before the Administrative Law Judge pertaining to the Villa Julie NPDES discharge permit. I am available on January 19 or 20, 1992. Please reschedule this case.

Very truly yours,
EVANS, GEORGE AND BRONSTEIN
Benjamin Bronstein
Benjamin Bronstein

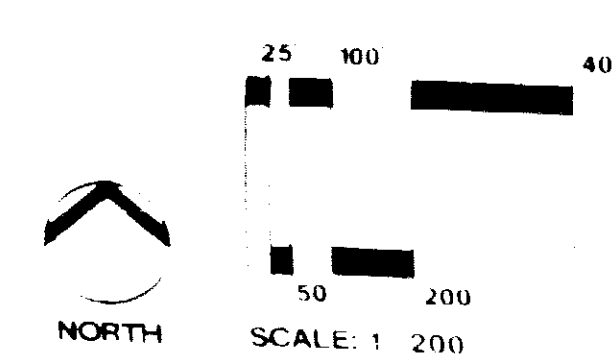
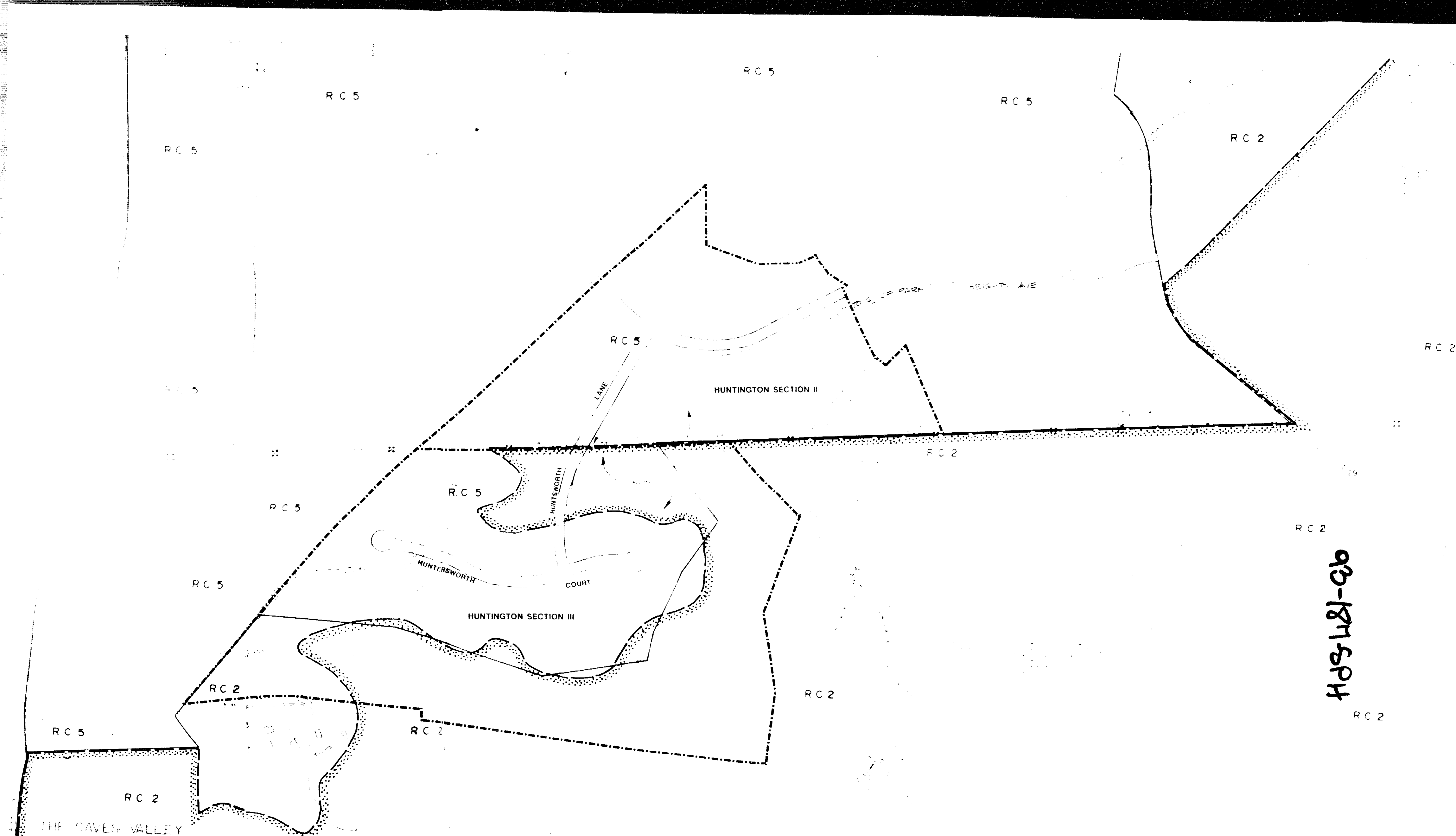
BB/mlh

RECEIVED
DEC 16 1992
ZONING OFFICE

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
D.S. THALER	7115 AMBASSADOR RD 21207
Ben. Bronstein	25 W. Subsquanna Ave 21204
Michael Thaler	20 S. Charles St. 21201



SCALE
 LOCATION
 SHEET
 DATE
 PHOTOGRAPHY
 Gwynnbrook
 NW
 14 H
 THIS MAP HAS BEEN REVISED IN SELECTED AREAS
 PHOTOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
 BY BUCHART HORN, INC. BALTIMORE, MD. 21210

1988 COMPREHENSIVE ZONING MAP
 Adopted by the Baltimore County Council
 OCT 13, 1988
 Chairman, County Council

BALTIMORE COUNTY
 OFFICE OF PLANNING AND ZONING
 OFFICIAL ZONING MAP

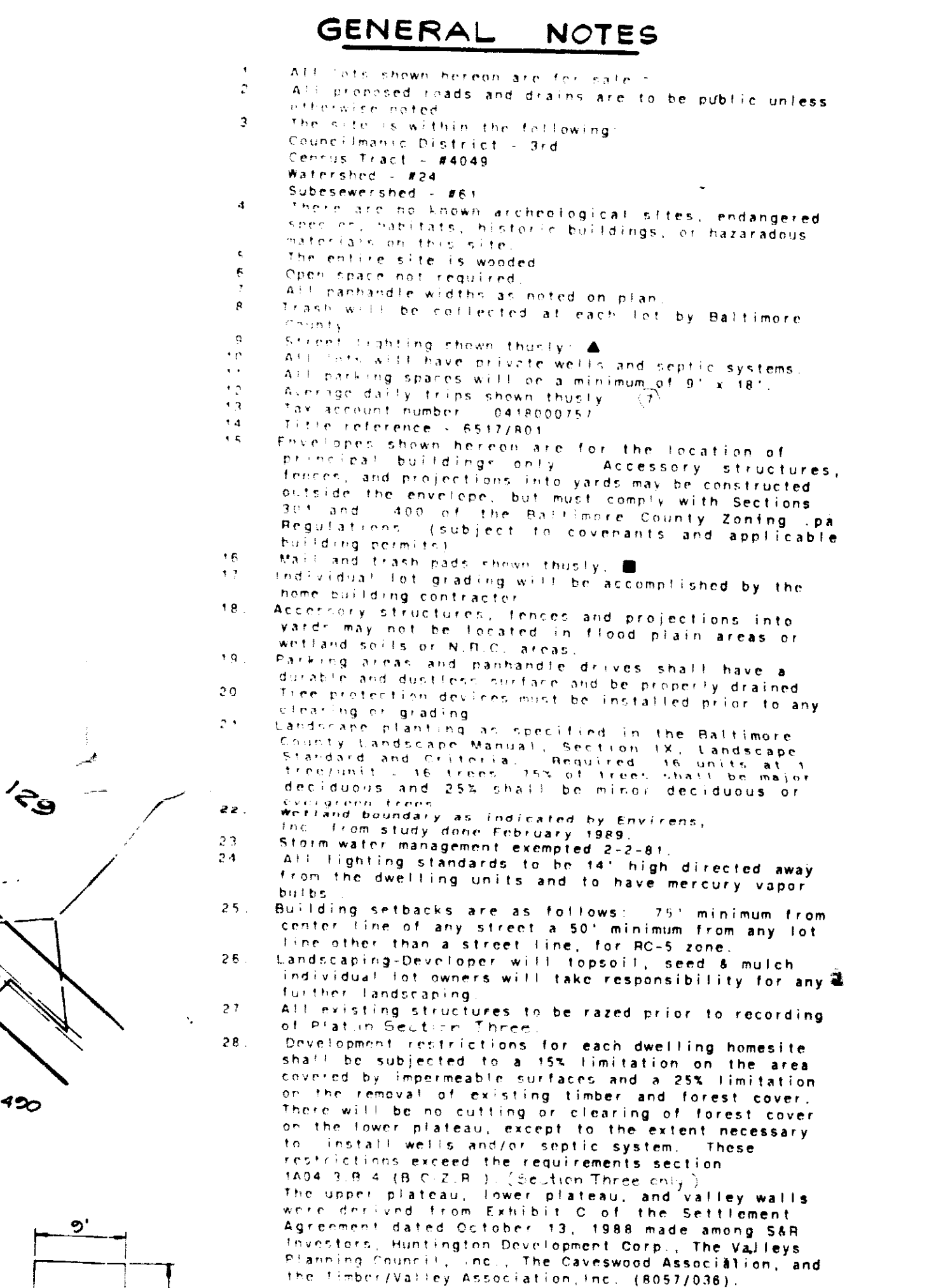
SCALE
 LOCATION
 SHEET
 DATE
 PHOTOGRAPHY
 Gwynnbrook
 NW
 14 H

200 SCALE ZONING MAP
 TO ACCOMPANY VARIANCE PETITION
 HUNTINGTON SECT. III
 D.S. THALER & ASSOCIATES, INC.
 7115 AMBASSADOR ROAD
 BALTIMORE, MARYLAND 21207
 (410) 944-3647

[illegible]

29 **SOIL MANAGEMENT:** The developer will not do the following
30 in those areas where severe and moderate limitations
31 exist: (1) remove or alter vegetation; (2) consider protection
32 of those areas from increased erosion; (3) this area
33 is not draining into down spouts & drains to storm
34 drains. And/or (4) the developer will not allow a
35 geotechnical engineer to review grading plans in
36 order to ensure compliance with the above and as required to
37 ensure compliance with the above and as required to
38 ensure compliance with the above and as required to
39 ensure compliance with the above and as required to
40 ensure compliance with the above and as required to
41 ensure compliance with the above and as required to
42 ensure compliance with the above and as required to

1. TOTAL AREA OF SITE = 74.05 Ac +
2. EX ZONING = 40.144 Ac R-C-5 33.91 Ac R-C-2
3. NUMBER OF LOTS ALLOWED = 40.144 Ac @ 7.2
 LOTS ALLOWED R-C-2 = 5.5 @ 33.91 = 1 LOTS
 TOTAL NUMBER OF LOTS ALLOWED = 2.7 LOTS
4. TOTAL NUMBER OF LOTS PROPOSED = 16 LOTS
5. PARKING SPACES REQUIRED = 2 PER LOT x 16 = 32 SPACES
6. PARKING SPACES PROVIDED = 32 SPACES
7. DEED REFERENCE 6917/DB1
8. B G F E R/W INCLUDED IN DENSITY CALCULATIONS



- 1 All unknown items are for info -
- 2 All proposed signs and drains are to be public unless
- 3 otherwise noted.
- 4 All items within the following
- 5 Councilmanic District 3rd
- 6 Census Tract = #4048
- 7 #4048 = #24
- 8 Subsectors = #24
- 9 There are no known archeological sites, endangered
- 10 plants, or natural or historic buildings, or hazardous
- 11 materials on this site.
- 12 The entire site is wooded
- 13 Open Space
- 14 All panhandle widths as noted on plan
- 15 Trees will be collected at each lot by Baltimore
- 16 Council
- 17 Street lighting shown thusly: ▲
- 18 All lots will have private wells and septic systems
- 19 All existing open lots will have a yard of 9' x 18'.
- 20 Average daily trips shown thusly: \rightarrow
- 21 Tax account number: (paragone)
- 22 Total lot area: 65,000 sq. ft.
- 23 Envelopes shown herein are for the location of
- 24 "envelope buildings" only. Accessory structures
- 25 (fences, and projections) are to be located within
- 26 inside the envelope, but must comply with Sections
- 27 Regulations 16 and 16D of the Baltimore County Zoning
- 28 Ordinance, and be subject to covenants and applicable
- 29 building permits.
- 30 All items on each page shown thusly: ■
- 31 Individual lot grading will be accomplished by the
- 32 owner building contractor.
- 33 Accurately shown are the center and projections into
- 34 the yard. No lot shall be located in flood plain areas or
- 35 on land soils or N.H.C. areas.
- 36 Parking areas and driveway drives shall have a
- 37 durable and dustless surface and be properly drained
- 38 into the street.
- 39 The protection devices must be installed prior to any
- 40 other grading.
- 41 Landscape plants as specified in the Baltimore
- 42 Standard and Criteria, Section 19, Landscape
- 43 Requirements. 16 units are required, 16 units all
- 44 deciduous and 16 units 75% of trees shall be major
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- 100 deciduous and 16 units 75% of trees shall be major



NOTE : PADS TO BE PAVED SAME AS DRIVEWAY



TYPICAL SEPTIC SYSTEM

CONSERVATION ASSOCIATES
5707 / 856
EX. ZONING PC-2

REASON FOR 6th AMENDMENT LTR 23 730
1 REVERSED SEPT C AREA IN LOT 23 & 24
2 REVERSED PARKWAY & PAVING SECT ON
3 NO LOTS HAVE BEEN SOLD WITHIN 300' OF
4 THE ABOVE CHANGES.

TENTATIVE PLAN
APPROVED 5-21-82

Diagram illustrating a typical paving section. The layers are labeled as follows:

- CRG (Cementitious Roadway Grout)
- CONCRETE BAND
- ROADWAY AND SHOULDER PAVING

NINTH AMENDED
FINAL DEVELOPMENT PLAN OF
'HUNTINGTON'

4TH ELECT ON DISTRICT
SCALE: 1"=100'

BALTIMORE CO., MARYLAND
APRIL 20, 1990

FORMERLY KNOWN AS PROPERTY OF RALDS INC. AND
SILBERT REALTY CO. INC.

REASON FOR DISCONTINUATION MAY 1984
FOR EXISTING

WITHIN 300' OF THIS CHANGE

ER AND DEVELOPER

7 TINGTON DEVELOPMENT CORP.
51 AHAM ADLER, PRESIDENT
1 : KAPLAN, HEYMAN, GREENBERG,
ELMAN & BELGRAD P.A.
H FLOOR - SUN LIFE BUILDING
1 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
(301) 532-6967

CONSERVATION ASSOCIATES
5797 / 95G
EX. ZONING RC-2

Reason for 4th Amendment February 5, 19

REASONS FOR 3rd AMENDMENT NOV. 22, 1985

PERSON OF CONVICTION NO. 34 727

BALTIMORE CO., MARYLAND
APRIL 20, 1930
PROPERTY OF RALDS INC. AND
F. CO. INC.
MAY 1984

193

